

**Before the State of South Carolina
Department of Insurance**

In the Matter of:

**Jack D. Curlee
d.b.a. A-1 Bail Bonding**

SCDOI Docket # 06-0801

**ORDER IMPOSING
ADMINISTRATIVE FINE AND
ONE YEAR PROBATION**

This matter comes before the South Carolina Department of Insurance (the Department), upon application of David E. Belton, Esquire, Senior Associate General Counsel for the Department, requesting that an administrative fine of \$1000.00 and a one (1) year probationary period be imposed on Jack D. Curlee (“Producer”) and (“Bondsman”) Surety Bondsman.

After careful review of the evidence presented, the Department issues the following decision.

FINDINGS OF FACT

Bondsman is currently a South Carolina resident producer and surety bondsman.

In the State of South Carolina, the bondsman failed to pay bond estreatments in a timely manner, in the amount of \$3,500.00 to the Greenville County Clerk of Court and contends this failure resulted from inadvertence and oversight and not from any intent to avoid the requirements of the law.

In the State of South Carolina, the bondsman failed to file bond reports with the Greenville County Clerk of Court and contends this failure resulted from inadvertence and oversight and not from any intent to avoid the requirements of the law.

In the State of South Carolina, the bondsman received a “Letter of Warning” dated January 3, 2006 from the Department for failing to pay bond estreatments in a timely manner, in the amount of \$600.00 to the Greenville County Clerk of Court on November 10, 2005.

CONCLUSIONS OF LAW

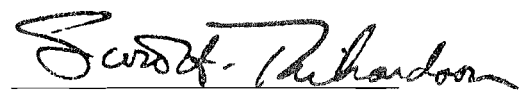
Pursuant to S.C. Code §38-53-150(A)(9) (A)“The director or his designee may deny, suspend, revoke, or refuse to renew any license issued under this chapter for any of the following causes:” (9) “for failing to pay any judgment or decree rendered on any forfeited undertaking in any court of competent jurisdiction.” Because Jack D. Curlee failed to pay bond estreatments in a timely manner, in the amount of \$3,500.00 to the Greenville County Clerk of Court and contends this failure resulted from inadvertence and oversight and not from any intent to avoid the requirements of the law, the Department now moves to impose an administrative fine of \$1000.00 and a one (1) year probationary period, in lieu of suspension or revocation.

Pursuant to S.C. Code §38-53-150 "Each professional bondsman shall by the fifteenth of each month file with the clerk of court of the county of his principal place of business and any other county where he is doing business a written report in a form prescribed by the director or his designee regarding all bail bonds on which he is liable as of the first day of each month showing each individual bonded, the date the bond was given, the principal sum of the bond, the state or local official with whom the bond was filed, the fee charged for the bonding service in each instance and all pending bonds." Because Jack D. Curlee failed to file bond reports with the Greenville County Clerk of Court and contends this failure resulted from inadvertence and oversight and not from any intent to avoid the requirements of the law, the Department now moves to impose an administrative fine of \$1000.00 and a one (1) year probationary period, in lieu of suspension or revocation.

THEREFORE, it is ordered that Jack D. Curlee, a South Carolina licensed resident producer and surety bondsman, shall pay an administrative fine of \$1000.00 within thirty (30) days from the date of this order and be placed in a probationary status for one (1) year; unless Jack D. Curlee requests in writing within said thirty (30) days period a public hearing before the South Carolina Administrative Law Court. If Jack D. Curlee fails to pay the administrative fine as stated or request a public hearing before the South Carolina Administrative Law Court within thirty (30) days from the date of this order, Jack D. Curlee license to transact insurance business within this State will be summarily revoked without any further disciplinary proceedings. If Jack D. Curlee is found to be in violation of any of the State's insurance laws within the probationary period, all of his licensing privileges will be immediately revoked without further disciplinary proceedings.

It is FURTHER ORDERED that the National Association of Insurance Commissioners be immediately notified of this order.

This South Carolina Department of Insurance administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *freedom of Information Act*, S.C. Code Ann. §§30-4-10, et seq. (1991 and Supp. 2000). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. §38-3-110(3) (Supp. 2000).



Scott H. Richardson
Director of Insurance

Dated this 19 day of March 2007